



INDIANA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

We make Indiana a cleaner, healthier place to live.

Joseph E. Kernan
Governor

Lori F. Kaplan
Commissioner

December 15, 2003

100 North Senate Avenue
P.O. Box 6015
Indianapolis, Indiana 46206-6015
(317) 232-8603
(800) 451-6027
www.in.gov/idem

TO: Interested Parties / Applicant

RE: Bennington Marine LLC / 039-18403-00098

FROM: Paul Dubenetzky
Chief, Permits Branch
Office of Air Quality

Notice of Decision – Approval

Please be advised that on behalf of the Commissioner of the Department of Environmental Management, I have issued a decision regarding the enclosed matter. Pursuant to 326 IAC 2, this approval was effective immediately upon submittal of the application.

If you wish to challenge this decision, IC 4-21.5-3-7 requires that you file a petition for administrative review. This petition may include a request for stay of effectiveness and must be submitted to the Office of Environmental Adjudication, 100 North Senate Avenue, Government Center North, Room 1049, Indianapolis, IN 46204, **within eighteen (18) calendar days from the mailing of this notice**. The filing of a petition for administrative review is complete on the earliest of the following dates that apply to the filing:

- (1) the date the document is delivered to the Office of Environmental Adjudication (OEA);
- (2) the date of the postmark on the envelope containing the document, if the document is mailed to OEA by U.S. mail; or
- (3) The date on which the document is deposited with a private carrier, as shown by receipt issued by the carrier, if the document is sent to the OEA by private carrier.

The petition must include facts demonstrating that you are either the applicant, a person aggrieved or adversely affected by the decision or otherwise entitled to review by law. Please identify the permit, decision, or other order for which you seek review by permit number, name of the applicant, location, date of this notice and all of the following:

- (1) the name and address of the person making the request;
- (2) the interest of the person making the request;
- (3) identification of any persons represented by the person making the request;
- (4) the reasons, with particularity, for the request;
- (5) the issues, with particularity, proposed for considerations at any hearing; and
- (6) identification of the terms and conditions which, in the judgment of the person making the request, would be appropriate in the case in question to satisfy the requirements of the law governing documents of the type issued by the Commissioner.

If you have technical questions regarding the enclosed documents, please contact the Office of Air Quality, Permits Branch at (317) 233-0178. Callers from within Indiana may call toll-free at 1-800-451-6027, ext. 3-0178.

Enclosures
FNPER-AM.dot 9/16/03

Mr. Steve Vogel
Bennington Marine LLC
52791 CR 113
Elkhart, Indiana 46514

December 15, 2003

Re: 039-18403-00098
First Notice Only Change to
Registration No.039-14119-00098

Dear Mr. Vogel:

Bennington Marine Corporation was issued a permit on March 19, 2002 for a stationary general boat assembly facility. A letter requesting a transfer of ownership and change of authorized individual was received on November 30, 2003. Pursuant to the provisions of 326 IAC 2-6.1-6(d)(2) and (3), the permit is hereby administratively amended as follows:

Bennington Marine LLC purchased the boat assembly facility from Bennington Marine Corporation. Bennington Marine LLC assumes responsibility, coverage and liability of the permit terms and conditions associated with the registration. Bennington Marine LLC has not added any additional equipment and emissions will not change due to the ownership change. The new operating name is **Bennington Marine LLC**. The appropriate reporting form was updated to reflect the new operating name.

Ms. Shelly Miller, Corporate Secretary was replaced by Mr. Steve Vogel, CEO as the Authorized Individual. Mr. Vogel meets the requirements of 326 IAC 2-1.1-1(1). This change was effective November 14, 2003.

All other conditions of the permit shall remain unchanged and in effect. Please attach a copy of this amendment and the following revised permit pages to the front of the original permit.

This decision is subject to the Indiana Administrative Orders and Procedures Act - IC 4-21.5-3-5. If you have any questions on this matter, please contact Gary Freeman, at (800) 451-6027, and ask for Gary Freeman or extension 3-5334, or dial (317) 233-5334.

Sincerely,

Original signed by
Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

Attachments: Replacement Pages

PD/gkf

cc: File - Elkhart County
Elkhart County Health Department
Air Compliance Section Inspector - Paul Karkiewicz
Compliance Data Section - Lynetta Brown-Glover
IDEM Northern Regional Office
Permit Review Section 1 - Gary Freeman
Air Programs - Chet Bohannon

Mr. Steve Vogel
Bennington Marine LLC
52791 CR 113
Elkhart, IN 46514

December 15, 2003

Re: First Notice Only Change 039-18403-00098 To
Registered Construction and Operation Status,
039-14119-00098

Dear Mr. Vogel:

The application from Bennington Marine LLC, received on November 30, 2003 has been reviewed. Based on the data submitted and the provisions in 326 IAC 2-5.5, it has been determined that the following general boat assembly facility, to be located at 52791 CR 113, Elkhart, Indiana, is classified as registered:

- (a) One (1) assembly area, used for the assembly of fiberglass boats, exhausting to the atmosphere consisting of:
 - (1) Cleaning operations with volatile organic compounds;
 - (2) Gluing operations with volatile organic compounds;
- (b) One (1) assembly area, used for the assembly of pontoon boats, exhausting to the atmosphere consisting of:
 - (1) Cleaning operations with volatile organic compounds;
 - (2) Water-based gluing operations with volatile organic compounds;
- (c) Paved and unpaved roads and parking lots with public access;
- (d) Equipment used to collect any material that might be released during a malfunction, process upset, or spill cleanup, including catch tanks, temporary liquid separators, tanks, and fluid handling equipment;
- (e) Welding operations with particulate matter emissions less than 5 pounds per hour or 25 pounds per day; and
- (f) Plasma cutting operations with particulate matter emissions less than 5 pounds per hour or 25 pounds per day.

The following conditions shall be applicable:

- (a) This source is subject to 326 IAC 2-6 (Emission Reporting), because it is located in Elkhart county and has the potential to emit more than ten (10) tons per year of VOC. Pursuant to this rule, the owner/operator of the source must annually submit an emission statement for the source. The annual statement must be received by April 15 of each year and contain the minimum requirement as specified in 326 IAC 2-6-4. The submittal should cover the period defined in 326 IAC 2-6-2(8)(Emission Statement Operating Year).

- (b) Pursuant to 326 IAC 5-1-2 (Opacity Limitations) except as provided in 326 IAC 5-1-3 (Temporary Exemptions), opacity shall meet the following:
 - (1) Opacity shall not exceed an average of forty percent (40%) in any one (1) six (6) minute averaging period as determined in 326 IAC 5-1-4.
 - (2) Opacity shall not exceed sixty percent (60%) for more than a cumulative total of 15 minutes (60 readings) in a 6-hour period as measured according to 40 CFR 60, Appendix A, Method 9 or fifteen (15) one (1) minute nonoverlapping integrated averages for a continuous opacity monitor in a six (6) hour period.
- (c) 326 IAC 6-3-2 (Process Operations)
Pursuant to 326 IAC 6-3-2(c), the allowable particulate matter emissions rate from any process not already regulated by 326 IAC 6-1 or any New Source Performance Standard, and which has a maximum process weight rate less than 100 pounds per hour shall not exceed 0.551 pounds per hour. The welding operation and the plasma cutting operation listed in the permitted emission units and pollution control equipment section shall be subject to this limit.
- (d) The one (1) assembly area, used for the assembly of fiberglass boats is not subject to the requirements of 326 IAC 8-1-6 because the one (1) assembly area has a total potential to emit VOC of less than 25 tons per twelve (12) consecutive month period. Any change or modification which may increase the potential to emit VOC emissions of the one (1) assembly area used to assemble fiberglass boats to greater than 25 tons per year must be approved by the IDEM, OAQ before such change may occur.
- (e) The one (1) assembly area, used for the assembly of pontoon boats, is not subject to the requirements of 326 IAC 8-1-6 because the one (1) assembly area has a total potential to emit VOC of less than 25 tons per twelve (12) consecutive month period. Any change of modification which may increase the potential to emit VOC emissions of the one (1) assembly area used to assemble pontoon boats to greater than 25 tons per year must be approved by the IDEM, OAQ.

An authorized individual shall provide an annual notice to the Office of Air Quality that the source is in operation and in compliance with this registration pursuant to 326 IAC 2-5.5-4(a)(3)). The annual notice shall be submitted to:

**Compliance Data Section
Office of Air Quality
100 North Senate Avenue
P.O. Box 6015
Indianapolis, IN 46206-6015**

no later than April 15 of each year, with the annual notice being submitted in the format attached.

Bennington Marine LLC
Elkhart, Indiana
00098
Permit Reviewer: NH/EVP

First Notice Only Change 039-18403
Change by: Gary Freeman

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R039-14119-

This registration supersedes FESOP 039-5829-00098, issued on December 9, 1996.

An application or notification shall be submitted in accordance with 326 IAC 2 to the Office of Air Quality (OAQ) if the source proposes to construct new emission units, modify existing emission units, or otherwise modify the source.

Sincerely,

Original signed by
Paul Dubenetzky, Chief
Permits Branch
Office of Air Quality

NH/EVP

cc: File - Elkhart County
Elkhart County Health Department
Air Compliance - Paul Karkiewicz
Northern Regional Office
Air Programs Section- Chet Bohannon
Compliance Data Section - Lynetta Brown-Glover
Permit Review Section 1 - Gary Freeman

Registration

This form should be used to comply with the notification requirements under 326 IAC 2-5.5-4(a)(3)

Company Name:	Bennington Marine LLC
Address:	52791 CR 113, Elkhart, IN 46514
City:	Elkhart
Authorized individual:	Mr. Steve Vogel
Phone #:	574-264-6336
Registration #:	039-14119-00098

I hereby certify that Bennington Marine LLC. is still in operation and is in compliance with the requirements of Registration 039-14119-00098.

Name (typed):
Title:
Signature:
Date: